

FILED '08 NOV 07 16:01 USDC-ORP

Laura T.Z. Montgomery, OSB No. 93466
E-mail: montgomery@gleaveslaw.com
Gleaves, Swearingen, Potter & Scott, LLP
975 Oak Street, Ste. 800
Eugene, Oregon 97401
Phone: (541) 686-8833
Facsimile: (541) 345-2035

Keith R. Thomas, TN 018928, *pro hac vice*
E-mail: krthomas@fedex.com
Federal Express Corporation
3620 Hacks Cross Road, Bldg. B, 2d Floor
Memphis, Tennessee 38125
Phone: (901) 434-8485
Facsimile: (901) 434-4523

Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

REBECCA KRONINGER,

Plaintiff,

vs.

FEDEX CORPORATE SERVICES, INC.
and JENNAFER MARCHETTI,

Defendants.

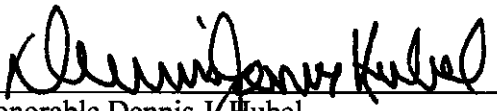
Case No. 3:07-CV-1898-HU

ORDER DISMISSING
FMLA CLAIM (COUNT 5)

This matter came before the Court on the Stipulated Motion to Dismiss FMLA Claim (Count 5), filed by Defendant FedEx Corporate Services, Inc. on November 5, 2008. Plaintiff has consented to the dismissal of the FMLA claim against Defendant. Accordingly, the Court is persuaded that good cause exists to grant the motion. IT IS THEREFORE ORDERED, DECREED, and ADJUDGED that:

Plaintiff's claim under the FMLA against Defendant FedEx Corporate Services, Inc., as contained in Count 5 of the First Amended Complaint, be and hereby is dismissed in full, without prejudice.

SO ORDERED this 7th day of November 2008.


Honorable Dennis J. Hubel

APPROVED AS TO FORM AND SUBSTANCE:

s/Matthew C. Ellis, with express permission by Keith R. Thomas

Dennis Steinman, OSB #954250
Matthew C. Ellis, OSB #075800
Kell, Alterman & Runstein, LLP
520 SW Yamhill, Suite 600
Portland, OR 97204
Phone: (503) 222-3531

Attorneys for Plaintiff

s/Keith R. Thomas

Keith R. Thomas, TN 018928, *pro hac vice*
Federal Express Corporation
3620 Hacks Cross Road, Bldg. B, 2d Floor
Memphis, Tennessee 38125
Phone: (901) 434-8485

Laura T.Z. Montgomery, OSB No. 93466
Gleaves, Swearingen, Potter & Scott, LLP
975 Oak Street, Ste. 800
Eugene, Oregon 97401
Phone: (541) 686-8833

Attorneys for Defendants